

**In the United States Court of Federal Claims**  
**OFFICE OF SPECIAL MASTERS**  
**No. 02-1237V**  
**(Not to be published)**

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COLLEEN BOSTON MADARIAGA  
 and JAMES ALLEN, parents and  
 guardians of A.A., a minor,

Petitioners,

v.

SECRETARY OF HEALTH AND  
 HUMAN SERVICES

Respondent.

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Filed: March 22, 2016

Autism; Decision on Attorneys'  
 Fees and Costs

**DECISION (ATTORNEYS' FEES AND COSTS)**

In this case under the National Vaccine Injury Compensation Program,<sup>1</sup> a Decision issued on September 26, 2015. On March 7, 2016, Petitioners filed an Application for Attorneys' Fees and Costs, requesting a total payment of \$10,606.55, representing attorneys' fees and costs of \$10,050.80, and \$555.75 of costs expended by Petitioners. On March 18, 2016, Respondent filed a statement indicating that Respondent has no objection to this request.

I find that this Petition was filed and pursued in good faith and with a reasonable basis. Thus, an award for fees and costs is appropriate at this time, pursuant to 42 U.S.C. § 300aa-15(b) and (e)(1). Further, the proposed amounts seem reasonable and appropriate. Accordingly, I hereby award the following attorneys' fees and costs pursuant to 42 U.S.C. § 300aa-15(b) and (e)(1):

- a lump sum of \$10,050.80, in the form of a check payable jointly to Petitioners and Petitioners' counsel, Ronald C. Homer, on account of services performed by counsel's law firm.

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<sup>1</sup> The applicable statutory provisions defining the program are found at 42 U.S.C. § 300aa-10 *et seq.* (2012).

- a lump sum of \$555.75, in the form of a check payable to Petitioners, which represents Petitioners' own litigation expenses in this case.

In the absence of a timely-filed motion for review filed pursuant to Appendix B of the Rules of the U.S. Court of Federal Claims, the clerk of the court shall enter judgment in accordance herewith.<sup>2</sup>

**IT IS SO ORDERED**

/s/ George L. Hastings, Jr.  
George L. Hastings, Jr.  
Special Master

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<sup>2</sup> Pursuant to Vaccine Rule 11(a), the parties may expedite entry of judgment by filing a joint notice renouncing the right to seek review.